

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

**SEAN PATRICK DOYLE,**

**Plaintiff,**

**v.**

**CALIFORNIA DEPARTMENT OF CORRECTIONS  
AND REHABILITATIONS, *et al.*,**

**Defendants.**

**Case No.: 12-CV-2769 YGR**

**ORDER DENYING PENDING DISPOSITIVE  
MOTIONS WITHOUT PREJUDICE TO  
REFILING; REQUIRING FILING OF CASE  
MANAGEMENT STATEMENT AND SETTING  
COMPLIANCE HEARING**

Plaintiff Sean Patrick Doyle, a prisoner in California state custody, filed the above-styled civil-rights action in May 2012 while proceeding pro se. Plaintiff prosecuted his action without representation for over nineteen months until, on January 16, 2014, two attorneys appeared on his behalf. (Dkt. No. 98.) In the course of the case, numerous motions have been filed, both by and against Plaintiff. (Dkt. Nos. 30, 50, 51, 52, 58, 69, 71, 81, 93.) Plaintiff's counsel has since filed an opposition to one of the several motions pending against Plaintiff. (Dkt. No. 99 (opposing Dkt. No. 71).)

Federal Rule of Civil Procedure 1 imposes upon courts an obligation to attempt to "secure the just, speedy, and inexpensive determination of every action and proceeding." In the current posture of this case, those goals may best be attained by affording Plaintiff's counsel an opportunity to participate in the entirety of the motion practice now transpiring in this case. Accordingly, the Court **DENIES** all motions now pending in this action. The denial is **WITHOUT PREJUDICE** to

1 Plaintiff's refiling, through counsel, any motions previously filed by Plaintiff when proceeding pro  
2 se. The denial is further **WITHOUT PREJUDICE** to Defendants refiling any dispositive motions,  
3 provided any such motions are filed *jointly* (e.g., a single motion to dismiss by all defendants who  
4 wish to so move). Plaintiff may then respond through counsel to any such jointly filed defense  
5 motions.


6 The Court **ORDERS** counsel to file a single Joint Case Management Statement identifying  
7 any anticipated motion practice in this case, consistent with the undersigned's Standing Order in  
8 Civil Cases. No Case Management Conference is required at this time. The parties' Joint Case  
9 Management Statement is due no later than **Friday, March 14, 2014**.

10 The Court **SETS** a Compliance Hearing on its 9:01 a.m. Calendar on **Friday, March 21,**  
11 **2014**, in Courtroom 5 of the United States Courthouse located at 1301 Clay Street in Oakland,  
12 California. If the parties have filed their Joint Case Management Statement timely, no appearance  
13 shall be required and the compliance hearing shall be vacated. Failure to comply may result in  
14 sanctions.

15 This Order terminates Docket Nos. 30, 50, 51, 52, 58, 69, 71, 81, and 93.

16 **IT IS SO ORDERED.**

17  
18 Date: February 24, 2014

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE